

MIAMI BEACH
PLANNING DEPARTMENT
Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: October 09 2015

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **File No. 2130 – 929 Alton Road – Mixed-Use project**
CUP for a Mechanical Lifts & +50,000 SF development
Extension of Time

The applicant, Alton Sobe LLC., is requesting a one (1) year Extension of Time to obtain a building permit for a previously issued Conditional Use Permit for the construction of a mixed use development project exceeding 50,000 square feet, containing residential units and ground level commercial space, as well as a mechanical parking system, pursuant to Section 118, Article IV.

RECOMMENDATION

Approval of the (1) one-year Extension of Time.

ZONING / SITE DATA

Legal Description: Lots 9 and 10, Block 123 "Lenox Manor", according to the Plat thereof recorded in Plat Book 7, page 15 of the Public Records of Miami-Dade County, Florida.

Zoning: CD-2, Commercial Medium Intensity

Lot Size: 20,000 SF

Proposed FAR: 39,929 SF / 2.0, Maximum = 40,000 SF / 2.0

Proposed Height: 5-stories / 50 feet, ~60 feet to highest non-habitable projection

Prior Use/Condition: Vacant Lot

Proposed Use: Mixed-use (19 Residential units & 8,618 SF Commercial)
Basement - Parking, including mechanical lifts, and storage
Ground Lvl - 8,618 SF Commercial, Residential Lobby, Service areas
2nd Lvl - 6 residential units, including private terraces
3rd Lvl - 6 residential units
4th Lvl - 6 residential units
5th Lvl - 1 residential unit

Land Uses: See Zoning Site Map (Last Page of this Report)
North: Commercial Office (Miami AD School)
South: Commercial Strip Mall
East: Multifamily and Single Family
West: Commercial

BACKGROUND

February 25, 2014 Approval of Conditional Use Permit (CUP) to build a mixed use development project exceeding 50,000 square feet, containing residential units and ground level commercial space, as well as a mechanical parking system.

THE PROJECT

The applicant is proposing to construct a five (5) story mixed-use development on the subject site, including approximately 8,618 SF of ground floor commercial space and 19 residential units on the upper four (4) floors, with parking, including mechanical parking located fully in a basement level. No active use is proposed for the upper roof, however private terraces for the four (4) units at the second level facing east are proposed above the parking level below.

STAFF ANALYSIS

Since the original approval of the application, no changes to the Land Development Regulations of the Miami Beach Code have been recommended or approved which would preclude the construction of this project if were proposed today.

A building permit (B1502028) was applied for on 01/21/15 and has been reviewed by the Planning Department three times. Multiple revisions to the building permit plans have led to the time expiration. In light of the delays encountered in permitting the project, it is suggested that the request for an extension of time to ensure that the permitting process consummates would be appropriate.

STAFF RECOMMENDATIONS

In view of the foregoing analysis, staff recommends the request for an extension of time be approved for a period not to exceed one (1) year from the expiration of the original approval which expired on August 25, 2015, subject to the conditions enumerated in the attached Draft Order.

TM/MB/AG

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ZONING / SITE MAP



City of Miami Beach Planning Board
File No. 2130
929 Alton Road



The applicant, Alton Sobe LLC., is requesting a one (1) year Extension of Time to obtain a building permit for a previously issued Conditional Use Permit for the construction of a mixed use development project exceeding 50,000 square feet, containing residential units and ground level commercial space, as well as a mechanical parking system, pursuant to Section 118, Article IV.

MIAMI BEACH
PLANNING DEPARTMENT

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**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 929 Alton Road

FILE NO. 2130

IN RE: The Application for a one (1) year Extension of Time to obtain a Full Building Permit for a previously issued Conditional Use Permit, pursuant to Chapter 130, Article II, Chapter 142, Article II and Chapter 118, Article IV of the Miami Beach City Code to build a mixed use development project exceeding 50,000 square feet, containing residential units and ground level commercial space, as well as a mechanical parking system.

LEGAL

DESCRIPTION: Lots 9 and 10, Block 123 "Lenox Manor", according to the Plat thereof recorded in Plat Book 7, page 15 of the Public Records of Miami-Dade County, Florida.

MEETING DATES: October 9, 2015

ORDER

The applicant, Alton Sobe LLC, filed an application with the Planning Director for a Conditional Use Permit.

The City of Miami Beach Planning Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

The applicant submitted information establishing, among other things, that additional time is required due to delays in the permitting process. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Conditional Use Permit Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one [1] year period shall run from the expiration date of the original approval, which is August 25, 2015) is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by August 25, 2016.
2. Construction shall commence and continue in accordance with the applicable Building Code.

3. This extension of time shall run concurrent with any other extensions of time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.
5. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Planning Board, as determined by staff, entitled "Mixed-Use Building", as prepared by IDEA International Design, dated 12-23-13, modified in accordance with the conditions set forth in this Order and staff review and approval.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in this Order and the Conditional Use Permit for the February 25, 2014 approval have been met. The issuance of Conditional Use Approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

Dated this _____ day of _____, 2015.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY:

Michael Belush, Planning and Zoning Manager For
The Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by Michael Belush, Planning and Zoning Manager of the City

of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]

Notary:
Print Name:
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:
Legal Department ()

Filed with the Clerk of the Planning Board on _____ ()

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